

LIBER

3 PAGE 529

BILL NO. 77-21

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 77-21

Introduced by Councilman Spry

Legislative Day No. 77-5

Date: February 8, 1977

AN EMERGENCY ACT to repeal Article 17, heading, "Official Map", of Chapter 25, heading, "Zoning", of the Harford County Code (1975), and to enact new Article 17, heading, "Capital Improvement Program Map", to be added to Chapter 25, heading, "Zoning", to stand in lieu of the Article repealed, to provide for the adoption of a Capital Improvement Program Map for Harford County, Maryland, which map will designate development in the County, both present and future, and said map shall reflect capital improvements proposed by Harford County, Maryland; and generally relating to a Capital Improvement Program Map for Harford County, Maryland; to provide that no permit or approval shall be issued for a period of ninety (90) days if land or building is reasonably within an area designated for future development; to provide for a procedure to be used when development is sought within areas designated for a capital improvement project.

By the Council, February 8, 1977

Introduced, read first time, ordered posted and public hearing scheduled

on: March 8, 1977

at: 7:30 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill having been published according to the Charter, a public hearing was held on March 8, 1977 and concluded on March 8, 1977.

Angela Markowski, Secretary

BILL NO. 77-21

1 Section 1. *Be It Enacted By The County Council Of Harford County,*
2 *Maryland,* that Article 17, heading, "Official Map", of Chapter 25,
3 heading, "Zoning", of the Harford County Code (1975), be, and it
4 is hereby repealed, and that new Article 17, heading, "Capital
5 Improvement Program Map", be, and it is hereby added to Chapter 25,
6 heading, "Zoning", of the Harford County Code (1975), to stand in
7 lieu of the Article repealed, all to read as follows:

8 CHAPTER 25. ZONING.

9 ARTICLE 17. CAPITAL IMPROVEMENT PROGRAM MAP.

10 Section 25-128.

11 Under the authority of this Article, the Department of
12 Planning and Zoning shall annually develop a Capital Improvement
13 Program Map for Harford County, Maryland. The Department of
14 Planning and Zoning may enlist the assistance of other County
15 agencies that receive or disburse County funds in its formulation
16 of a Capital Improvement Program Map.

17 (a) The Capital Improvement Program Map shall have,
18 but not be limited to, the following information:

19 (1) General location of past, present and future
20 capital projects of Harford County, Maryland, and of any agency
21 that receives or disburses County funds.

22 (2) Designation of schools, educational facilities,
23 recreational facilities, parks, fire houses and health care
24 facilities, public buildings, maintenance buildings, water lines,
25 sewer lines, sewerage treatment plants, pumping stations, roads,
26 bridges and other capital projects in Harford County, Maryland.

27 (b) The Capital Improvement Program Map shall be
28 completed within six (6) months from the effective date of each
29 annual County Budget.

30 (c) In developing the Map, metes and bounds descriptions
31 shall not be necessary, but the map shall designate the
32

1 neighborhood or general areas in which existing and proposed
2 capital developments are, or shall be, located.

3 Section 25-129.

4 (a) The Department, through the Planning Advisory
5 Board, before adopting the results of such studies as its Capital
6 Improvement Program Map, shall hold a public hearing thereon
7 subject to at least ten (10) days' notice printed in a newspaper
8 for two (2) consecutive weeks with general circulation in the area
9 covered by the survey.

10 Section 25-130.

11 (a) After such Planning Advisory Board hearing, the
12 Department shall transmit the Capital Improvement Program Map in
13 its original form or as modified to the County Council for its
14 rejection, approval or modification.

15 Section 25-131.

16 (a) Copies of the Capital Improvement Program Map
17 shall be made available to the general public through the Depart-
18 ment of Planning and Zoning and the Department of Public Works
19 for a nominal charge to cover the cost of publication.

20 Section 25-132. Ninety Day Period.

21 (a) After adoption of the Capital Improvement Program
22 Map, no permits, approvals or zoning certificates shall be
23 issued by any department of Harford County, Maryland, for
24 subdivision, recordation of plats, building permits or improvements
25 for a period of ninety (90) days after request, if the land,
26 building, structure, private road or proposed improvement can
27 be reasonably determined by the Department of Planning and Zoning
28 to be within the area or neighborhood designated on the Capital
29 Improvement Program Map for future capital improvement
30 development. During said ninety (90) day period, the Department

31

32

1 of Planning and Zoning in conjunction with the various County
2 agencies shall determine whether the land, building, structure or
3 improvement for which permit, approval or certificate is sought
4 is to be used as a site or portion of a site for a future
5 capital project by Harford County or by an agency that receives
6 or disburses County funds. If, at the expiration of said ninety
7 (90) day period, the County fails to execute a valid contract of
8 sale for purchase of said property or fails to institute
9 condemnation proceedings, the said permit, approval or certificate
10 shall be issued, provided the requirements of other applicable
11 laws have been met. Nothing herein shall preclude the right of
12 the County to purchase or institute condemnation proceedings at
13 a later date.

14 Section 2. *And Be It Further Enacted*, that this Act is hereby
15 declared to be an Emergency Act, necessary for the protection of
16 County capital improvement projects and shall take effect on the
17 date it becomes law.

18 EFFECTIVE: March 22, 1977

19 The Secretary of the Council does hereby
20 certify that fifteen (15) copies of this bill
are immediately available for distribution to
the public and the press.

21 
22 Secretary

BY THE COUNCIL

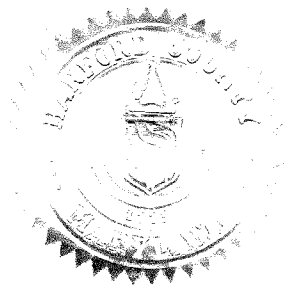
Read the third time.

Passed LSD 77-8 March 8, 1977 ~~(with amendments)~~~~Failed~~ ~~of Passage~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive
 for his approval this 9th day of March, 1977
 at 3:00 o'clock P.M.

Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

[Signature]
 County Executive
Date 3-22-77

BY THE COUNCIL

This Bill, having been approved by the Executive and returned
 to the Council, becomes law on March 22, 1977.

Angela Markowski
 Angela Markowski, Council Secretary

EFFECTIVE: March 22, 1977

Rec'd for record 7/29/77 at 9:00 P.M.
 Same day recorded & examined, per
W. Douglas Chilcoat, Clerk